

REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application. Claims 7, 11-13, 17 and 18 remain in the application and claims 7 and 13 are independent. The Office Action dated January 29, 2010 has been received and carefully reviewed. Each issue raised in the Office Action is addressed below. Reconsideration and allowance of the present application are respectfully requested in view of the remarks to follow.

Claim Objections

Claims 7 and 13 stand objected to, apparently because of the phrase “that is” in each of these claims, although the claim fails to indicate specifically what the basis for the objection might be. While not conceding the appropriateness of the objection, Applicants have nevertheless deleted the phrase “that is” from each of claims 7 and 13. Reconsideration and withdrawal of the objection are respectfully requested.

Claim Rejections – 35 U.S.C. § 102

Claims 7, 11, 13 and 17 stand rejected under 35 U.S.C. § 102(b) as anticipated by Malik. Applicants submit that the Examiner has failed to establish a *prima facie* case of anticipation and respectfully traverse the rejection. A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

In order to establish a *prima facie* case of anticipation under 35 U.S.C. § 102, the cited reference must teach or inherently include each and every element of the claims. See MPEP § 2131 and MPEP § 706.02.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that independent claim 7 has been amended to recite a combination of elements in a data transmitting apparatus including, *inter alia*, a controller that performs operations of: carrying out authentication when a user of the data transmitting apparatus requests to register, in a storing unit, a partial address of a transmission permissible address of sending ends of data, said partial address in common with a plurality of addresses, or a receiving address of receiving ends of data including a partial address

of the receiving address assigned thereto so as to receive data, registering, in the storing unit, the partial address of the transmission permissible address entered by a user, when the user is authenticated, registering, in the storing unit, the receiving address entered by the user, when the user is authenticated. Independent claim 13 has been similarly amended to recite a combination of elements in a data transmitting apparatus including, *inter alia*, a controller that performs operations of: carrying out authentication when a user of the data transmitting apparatus requests to register, in a storing unit, a partial address of a transmission permissible address of sending ends of data, said partial address in common with a plurality of addresses, or a receiving address of receiving ends of data including a partial address of the receiving address assigned thereto so as to receive data, first registering means for registering, in the storing unit, the partial address of the transmission permissible address entered by the user, when the user is authenticated; second registering means for registering, in the storing unit, the receiving address entered by the user, when the user is authenticated. Applicants respectfully submit that this combination of elements as set forth in independent claims 7 and 13 is not disclosed or made obvious by the prior art of record, including Malik.

The Examiner states that Malik teaches the “input unit” and “selecting means” of claims 7 and 13, and a “controller” that performs the registering functions discussed in paragraphs [0030]-[0038].

According to the present specification, one embodiment of the invention includes the feature that when registering in a storing unit a partial address of a transmission permissible address and when registering in a storing unit a receiving address, a user is required to input a password for authentication. Then, only when the inputted password is coincident with a preliminary stored password, the partial address of the transmission permissible address and the receiving address can be registered, as is described in the original specification, such as on lines 11-24 of page 16. Therefore, according to the present invention, when the user registers in the storing unit, a partial address of a transmission permissible address and registers in the storing unit a receiving address, the inputted transmission permissible address and the receiving address cannot be automatically registered (i.e., stored) in the storing unit, and instead, authentication processing of the user is performed before registration.

Applicants respectfully submit that Malik fails to show or suggest such a controller. According to Malik, when a domain name extracted from a transmitted e-mail address does not match any of domain names stored in a database 20, the system prompts the user to confirm the provided e-mail address. Furthermore, Malik describes that when the e-mail address is confirmed by the prompted user, the domain name of the confirmed e-mail address may then be added to the domain name database 20, as described in paragraphs [0037] and [0038]. Therefore, in Malik, when the domain name is added to the domain name database 20, the domain name is automatically added without performing authentication of the user. Thus, Malik fails to show or suggest a controller carrying out authentication in the manner now recited. Applicants respectfully submit that the combination of elements as set forth in independent claims 7 and 13 is not disclosed or made obvious by the prior art of record, including Malik, for the reasons explained above. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

With regard to dependent claims 11 and 17, Applicants submit that dependent claims 11 and 17 depend directly from independent claims 7 and 13, respectively, which are allowable for the reasons set forth above, and therefore claims 11 and 17 are allowable based at least on their dependence from claims 7 and 13. Reconsideration and allowance thereof are respectfully requested.

Claim Rejections – 35 U.S.C. § 103

Claims 12 and 18 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Malik in view of Nishida. Applicants submit the Examiner has failed to establish a *prima facie* case of obviousness and respectfully traverse the rejection. A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

In order to establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), the cited references must teach or suggest each and every element in the claims. See MPEP § 706.02(j) and MPEP §§ 2141-2144.

Nishida was cited to show a communication apparatus with IFAX facsimile capabilities. However, Nishida appears to assume that all addressed communications are sent and received

without authentication. Nishida fails to show or suggest a controller that performs operations of: carrying out authentication when a user of the data transmitting apparatus requests to register, in a storing unit, a partial address of a transmission permissible address of sending ends of data, the partial address in common with a plurality of addresses, or a receiving address of receiving ends of data including a partial address of the receiving address assigned thereto so as to receive data, registering, in the storing unit, the partial address of the transmission permissible address entered by a user, when the user is authenticated, registering, in the storing unit, the receiving address entered by the user, when the user is authenticated, and therefore cannot remedy the defects of Malik discussed in detail above. Reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

All objections and rejections raised in the Office Action having been properly traversed and addressed, it is respectfully submitted that the present application is in condition for allowance. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Notice of same is earnestly solicited.

Prompt and favorable consideration of this Amendment is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Paul T. Sewell, Registration No. 61,784, at (703) 205-8000, in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 

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